

MISC. CRIMINAL APPLICATION NO. 2254 OF 1997.

Date of decision: 24.6.1997

For approval and signature

The Honourable Mr. Justice R. R. Jain

Mr. P.M. Thakkar, Senior advocate for petitioner.

Mr. S.A. Pandya, A.P.P. for respondent No.1.

Mr. J.M. Panchal, advocate for respondent No.2.

1. Whether Reporters of Local Papers may be allowed to see the judgment? No
2. To be referred to the Reporter or not? No
3. Whether their Lordships wish to see the fair copy of judgment? No
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder? No
5. Whether it is to be circulated to the Civil Judge? No

Coram: R.R.Jain,J.

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June 24, 1997.

Oral judgment:

Rule. Mr. S.A. Pandya, learned A.P.P. waives service on behalf respondent No.1 and Mr. J.M. Panchal, learned advocate waives service on behalf of respondent No.2.

Heard the learned advocates. By consent process issued on 29.1.1997 under Section 156 (3) of the Criminal

Procedure Code in Criminal Case No. 39 of 1997 by the learned Metropolitan Magistrate (Court No.9) is hereby quashed and set aside. The Court below is directed to issue summons after due verification and proceed with the matter in accordance with law. From the record it transpires that some more complaints have also been filed against the same petitioner by respondent No.2. In order to avoid inconvenience to the parties, the Court below is directed to try them together as far as possible. Rule is made absolute.